

*Continued March 1, 2000*

Speaking on the matter was Tim Flemming with Mark Thomas & Company, who provided additional information regarding the report and project calendar and went through a typical cross-section of the proposal. Traffic Engineer Fernandez and Mr. Flemming answered questions as were posed by Council Members.

Council expressed a concern about Taylor Road being an ingress/egress on this proposal.

There was no action required on this matter.

11. ORDINANCES


None.

12. COMMENTS BY THE PUBLIC ON NON-AGENDA ITEMS

- a) Walter Pruss, 2421 Diablo Drive, Lodi, stated that he is very interested in the project and has actively followed the progress of the project. He stated that he is vitally interested in traffic and safety. Further, Mr. Pruss stated that he did not get a complete review of the proposed landscaping plan at either of the public meetings he attended. Mr. Pruss recommended that the landscaping be done at a low installation cost, and that it be low maintenance and drought resistant.
- b) Janet Pruss, 2421 Diablo Drive, Lodi, stated that at one point in earlier discussions regarding this project she heard that eventually Lower Sacramento Road would become a six-lane road and questioned whether or not this was true. Mayor Mann confirmed that her recall was correct. Finally she asked who would pay for the maintenance of the landscaping after the grant monies are used up. Mrs. Pruss also urged that the landscaping be drought resistant.
- c) Rick Gerlack, Taylor Road, Lodi, stated that he has attended the workshops and has talked with both Richard Prima and Paula Fernandez regarding the intersection of Lower Sacramento Road and Taylor Road. He stated that staff's proposal regarding this intersection is a lot safer than the present conditions. He added that right now there is a safety issue out there, and no one seems to have worried about it.

Council Member Pennino commented that there may be some differences of opinion regarding the median landscaping and asked staff to keep the Council apprised as plans go forward.

13. COMMENTS BY CITY COUNCIL MEMBERS ON NON-AGENDA ITEMS

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- a) Council Member Pennino stated that he had received a letter from Mr. Hal Armstrong regarding the recently adopted ordinance designed to limit the parking of large commercial vehicles within the City limits. Council Member Pennino referred the matter to the City Attorney. Mr. Pennino further requested that the City Council receive written comments from the City Attorney regarding the letter and that this subject be brought back on a future agenda.
  - b) Council Member Land stated that he had received a telephone call from Mr. Bob Burnett who resides on Mills Avenue regarding the area of Mills and Tokay Street to Vine Street. Mr. Burnett stated that it is very hard to see the street striping in the rain. Council Member Land asked questions regarding this area and stated that it was his understanding at an earlier meeting that this area would be monitored for the concerns that had been expressed at that time.
  - c) Very warm and gracious remarks were made to City Clerk Reimche during her last regular City Council meeting by members of the City Council.

March 1, 2000

MAR 01 2000

The Honorable Steve Mann, Mayor  
The City of Lodi  
PO Box 3006  
Lodi, CA 96241-1910

CITY ATTORNEY'S OFFICE

Re: Section 10.52.050 of the Lodi Municipal Code

Dear Mayor Mann,

My wife and I travel full-time and pull a 36 foot 5<sup>th</sup> wheel using a medium duty truck, which is our only vehicle. Although we are not residents of Lodi we spend about 4 months each year visiting family, friends and doing business in Lodi.

Recently, the City Council adopted an ordinance designed to limit the parking of large commercial vehicles within the city limits. Although I understand the reasons behind its adoption, and can agree with the Council's intent, I feel that the ordinance is overly restrictive. By the adoption of Section 10.52.050 of the Lodi Municipal Code the Council has restricted the parking of any commercial or noncommercial vehicle which has a Gross Vehicle Weight Rating (GVWR) of 10,000 pounds or greater.

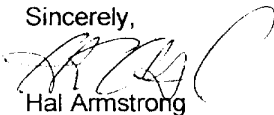
I contacted the City Attorney's office to clarify the intent of the ordinance. I was told that since our truck exceed a GVWR of 10,000 lbs it was considered a commercial vehicle and was therefore subject to the ordinance, even though our truck is not used or licensed for commercial purposes. I then contacted the City Police Department for additional information regarding enforcement criteria. I was told that the ordinance prohibited the parking of most if not all  $\frac{3}{4}$  and 1 ton pickups as well as all medium trucks on most public streets within the City of Lodi. I was also told that those violating the ordinance would be subject to a fine of \$27.00, per occurrence.

I feel the adoption and enforcement of this ordinance will cause impacts far greater than those intended by the City Council. Because, residents or visitors who park a  $\frac{3}{4}$  ton, 1 ton or medium duty truck in all residential zones, and after January 1, 2001 all commercial and industrial zones are in violation of the ordinance and thus are subject to citation. Subsequently, as adopted this ordinance will prohibit us and others from doing business or visiting family and friends in Lodi.

Therefore, I would respectfully request that the City Council give consideration to amending the ordinance to address this issue. Unfortunately I cannot offer a ready solution, however I would be more than willing to assist the council and staff in developing any acceptable amendment(s).

I look forward to hearing from you, and if you have any questions please feel free to call me at 209-366-1954.

Sincerely,



Hal Armstrong

Cc; Members of the Lodi City Council (4)  
Dixon Flynn, City Manager  
Randall Hays, City Attorney  
Chief Larry Hansen, Police Chief